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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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to
Final!
EB
7/16/03

In re Application of)
)
Samuel RAHBAR, et al.)
)
Serial No. 09/825,925) Examiner: V. Balasubramanian
)
Filed: April 5, 2001) Group Art Unit: 1624
)
For: NOVEL BREAKERS OF)
ADVANCED GLYCATION)
ENDPRODUCTS)

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TERMINAL DISCLAIMER TO OBLIGATE A PROVISIONAL
DOUBLE PATENTING REJECTION OVER A PENDING SECOND APPLICATION

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

CITY OF HOPE through its undersigned, represents that it is the Assignee of the entire interest in the subject application, Serial No. 09/825,925, filed on the 5th day of April 2001, for NOVEL BREAKERS OF ADVANCED GLYCATION ENDPRODUCTS ("the above-identified application"), and that an assignment was filed and has been recorded in the U.S. Patent and Trademark Office at Reel 011945 and Frame 0427.

CITY OF HOPE hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the above-identified application, which would extend beyond the expiration date of the full statutory term as presently shortened

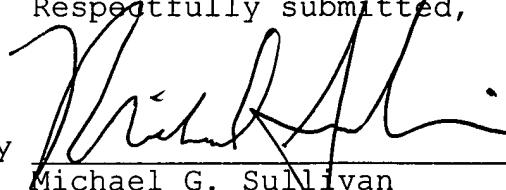
by any terminal disclaimer of the earliest to expire of any patent issuing from application Serial No. 09/800,976, filed March 8, 2001, and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to any patent issuing from application Serial No. 09/800,976, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors or assigns.

In making the above disclaimer, CITY OF HOPE does not disclaim any terminal part of any patent granted on the above-identified application that would extend to the expiration date of the full statutory term as presently shortened by any terminal disclaimer of any patent issuing from application Serial No. 09/800,976 in the event that any said issued patent later: expires for failure to pay a maintenance fee, is held unenforceable, is found statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), has all claims cancelled by a reexamination certificate, is reissued, or is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer.

The undersigned has reviewed all assignments, chain of title, or other evidentiary documents referred to herein and

certifies to the best of the undersigned's knowledge and belief
that title belongs to CITY OF HOPE.

The undersigned is authorized to act on behalf of CITY OF
HOPE.

Respectfully submitted,
By 

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